

REMARKS

Claims 1-20 are pending. The amendments are fully supported by the original disclosure and, thus, no new matter is added by their entry. The “use” claims 17-18 are reformatted as methods of using the claimed compound. Claims 19-20 are added based on abundant disclosure of topically, enterally, and parenterally administered compositions to a subject.

Original paper and computer readable forms of the Sequence Listing are being submitted herewith in response to the Examiner’s requirement. The paper and computer readable forms of the Sequence Listing do not add new matter, and their contents are the same. It is respectfully submitted that the attached complies with 37 CFR § 1.821 et seq. Otherwise, prompt notice of any defects in the Sequence Listing is earnestly solicited and additional time is requested to comply.

Applicants elect with traverse Group I (claims 1-12) and the specific compound 4-hydroxy-1-(4-phenyl-butyryl)-pyrrolidine-2-carboxylic acid ethyl ester (see Example 1) for examination on the merits. Claims 1-12 read on the elected species. Applicants reserve the right to prosecute nonelected subject matter in a further patent application.

Notwithstanding the above election, reconsideration of the restriction requirement is requested because examination of all pending claims would not constitute a serious burden. Although the inventions identified by the Examiner are separately patentable, both the need for compact prosecution and the public interest would be served by examination of all claims in a single application. In particular, the claims of both Groups I and II should be examined in the same application. Thus, claims 13-20 should not be withdrawn from consideration.

Further, in accordance with the Commissioner’s Notice of March 26, 1996 (1184 OG 86) implementing the Federal Circuit’s decisions of *In re Ochiai*, 37 USPQ2d 1127 (1995) and *In re Brouwer*, 37 USPQ2d 1663 (1996), Applicants request rejoinder of the nonelected claims upon an indication that an elected product claim is allowable.

Applicants earnestly solicit an early and favorable examination on the merits. The Examiner is invited to contact the undersigned if additional information is required.

Respectfully submitted,

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